



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No. 47

BRUCE J. CLARK
WRIGHT HENSON SOMERS SEBELIUS CLARK
AND BAKER, LLP
100 SE 9TH STREET, 2ND FLOOR
P.O. BOX 3555
TOPEKA, KS 66601-3555

COPY MAILED

NOV 26 2004

OFFICE OF PETITIONS

| | | |
|----------------------------------|---|-----------------------|
| In re Application of | : | |
| French, et al. | : | |
| Application No. 08/884,546 | : | LETTER AND |
| Filed: June 27, 1997 | : | NOTICE OF ABANDONMENT |
| Title: HYDROTHERAPY AND EXERCISE | : | |
| DEVICE WITH INTEGRATED LIFT AND | : | |
| TREADMILL MEANS | : | |

This is in reference to the petition under 37 C.F.R. § 1.137(b), filed July 20, 2004, to revive the above-identified application. The decision, mailed September 15, 2004 was issued in error and is hereby vacated.

The decision was rendered in error as the papers submitted July 20, 2004 were not properly matched and the papers from another application were placed in the above-identified file. A petition to revive has not been submitted in the above-identified application. The Office sincerely apologizes for any inconvenience this may have caused.

However, regarding the above-identified file, a Notice of Abandonment was prepared on February 26, 2003, however it does not appear that it was mailed. Again, the Office sincerely apologizes for any inconvenience this may have caused.

This application became abandoned for failure to timely file corrected, formal drawings on or before March 15, 1999 as required by the Notice of Allowability mailed December 15, 1998. Accordingly, this application became abandoned on March 16, 1999.

The above-identified application was erroneously allowed to continue prosecution on the filing of the CPA on May 5, 1999, without a petition to revive the application. However, this does not negate the need for the filing of a petition to revive the above-identified application. As such, the above-identified application is abandoned.

The file is being forwarded to File Repository.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 Box 1450
 Alexandria, VA 22313

By FAX: (703) 872-9306
 Attn: Office of Petitions

By hand: Customer Service Window
 2011 South Clark Place
 Crystal Plaza Two (left side entrance of building)
 Arlington, VA

Telephone inquiries should be directed to the undersigned at (571)272-3228.



Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office